

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW JERSEY**

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: Civil Action No. 05-2681 (JAG)  
IN RE ABLE LABORATORIES SECURITIES :  
LITIGATION : **ORDER**  
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**GREENAWAY, JR., U.S.D.J.**

This matter comes before this Court on the motion (Docket Entry No. 148) of the Denver Employees Retirement Plan (“DERP”) and Deka International (Ireland) Limited (“Deka”) (collectively, “Lead Plaintiffs”) seeking partial summary judgment against defendant Shashikant K. Shah (“Shah”), pursuant to FED. R. Civ. P. 56. The Court having reviewed the submissions of the parties, and for the reasons set forth in this Court’s opinion,

IT IS, THIS 25<sup>th</sup> day of March, 2008,

ORDERED that motion (Docket Entry No. 148) seeking partial summary judgment against defendant Shashikant K. Shah (“Shah”), pursuant to FED. R. Civ. P. 56, is DENIED; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of entry of this Order.

S/Joseph A. Greenaway, Jr.  
JOSEPH A. GREENAWAY, JR., U.S.D.J.